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Letter dated 19 October 2006 from the Chairman of the Third Committee to the Chairman of the Fifth Committee

In my capacity as Chairman of the Third Committee, I have the honour to refer to the note by the Secretariat (A/C.3/61/L.2) containing the text of a draft resolution entitled "Strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body", which the Economic and Social Council, by its decision 2006/256, had decided to transmit to the General Assembly.

The draft resolution was transmitted under agenda item 98, Crime prevention and criminal justice, which has been allocated to the Third Committee. In view of its substance, however, and in pursuance of General Assembly resolution 45/248 B of 21 December 1990 in which the Assembly reaffirmed, inter alia, that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters, I wish hereby to transmit the above-mentioned draft resolution to the Fifth Committee for its consideration (see annex).

(*Signed*) Hamid **Al Bayati**
Chairman of the Third Committee

* Reissued for technical reasons.

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Annex

Strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body

Note by the Secretariat*

By its decision 2006/256 of 27 July 2006, the Economic and Social Council decided to transmit to the General Assembly the following draft resolution:

"**Strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body**

"*The General Assembly*,

"*Recalling* its resolution 46/152 of 18 December 1991, in which it approved the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, according to which the United Nations Trust Fund for Social Defence[1] was renamed the United Nations Crime Prevention and Criminal Justice Fund and became an integral part of the Programme,

"*Recalling also* its resolution 55/25 of 15 November 2000, in which it decided that, until the Conference of the Parties to the United Nations Convention against Transnational Organized Crime decided otherwise, the account referred to in article 30 of the Convention[2] would be operated within the United Nations Crime Prevention and Criminal Justice Fund,

"*Recalling further* its resolution 58/4 of 31 October 2003, in which it decided that, until the Conference of the States Parties to the United Nations Convention against Corruption decided otherwise, the account referred to in article 62 of the Convention[3] would be operated within the United Nations Crime Prevention and Criminal Justice Fund,

"*Taking note* of the Secretary-General's bulletin on the organization of the United Nations Office on Drugs and Crime,[4] by which the Secretary-General decided that the United Nations Office on Drugs and Crime would be established to implement the Organization's drug programme and crime programme in an integrated manner and that the Executive Director would be responsible for all the activities of the Office, as well as its administration,

"*Considering* that, starting from the biennium 2004-2005, a consolidated budget for the United Nations Office on Drugs and Crime has been prepared, including budgets for its drug and crime programmes,

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* Previously issued as document A/C.3/61/L.2.

[1] See Economic and Social Council resolution 1086 B (XXXIX).

[2] Resolution 55/25, annex I.

[3] Resolution 58/4, annex.

[4] ST/SGB/2004/6.

"*Considering also* that the Commission on Crime Prevention and Criminal Justice, in accordance with the procedures established by the General Assembly in its resolution 41/213 of 19 December 1986 and relevant subsequent resolutions, already provides its views and guidance on the proposed biennial programme plan and on the crime programme, which forms the basis for the formulation of the proposed programme budget for the next biennium and whose narrative part is subsequently considered by the Commission,

"*Noting* the delegation of authority for the management of the United Nations Crime Prevention and Criminal Justice Fund from the Secretary-General to the Director-General of the United Nations Office at Vienna,

"*Considering* that it would be opportune to grant the Commission on Crime Prevention and Criminal Justice the same powers with respect to the United Nations Crime Prevention and Criminal Justice Fund as the Commission on Narcotic Drugs has with respect to the Fund of the United Nations International Drug Control Programme,

"1. *Authorizes* the Commission on Crime Prevention and Criminal Justice, as the principal United Nations policymaking body on crime prevention and criminal justice issues, to approve, on the basis of the proposals of the Executive Director of the United Nations Office on Drugs and Crime, bearing in mind the comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions, the budget of the United Nations Crime Prevention and Criminal Justice Fund, including its administrative and programme support costs budget, other than expenditures borne by the regular budget of the United Nations, without prejudice to the powers of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, as provided for in that Convention,[5] and to the powers of the Conference of the States Parties to the United Nations Convention against Corruption, as provided for in that Convention;[6]

"2. *Requests* the Advisory Committee on Administrative and Budgetary Questions to submit its comments and recommendations on the biennial consolidated budget for the United Nations Office on Drugs and Crime to the Commission on Crime Prevention and Criminal Justice;

"3. *Requests* the Commission on Crime Prevention and Criminal Justice to report to the Economic and Social Council in 2007 on how it plans to carry out those administrative and financial functions;

"4. *Requests* the Secretary-General to promulgate financial rules for the United Nations Crime Prevention and Criminal Justice Fund."

[5] Resolution 55/25, annex I.

[6] Resolution 58/4, annex.